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SERIOUS ACCIDENT TO GEN. CASS. Non-Arrival of the European Steamers.

Interesting News from the National and State Capitals, &c.,

The Expected Steamers.

Sandy Hoos, Friday—11:30 P. M. Up to the present moment there are no signs of either of the overdee European steamers—the Pacific, now in her seventeenth day, and the Persia in her fourteenth.

HALPAX, Feb. 8-10 P. M. Neither the Pacific nor the Persia have been heard from at this port. Weather clear.

Our Special Despatches from Washington SERIOUS ACCIDENT TO GENERAL CASS, CAUSED BY A FALL—THE GENERAL CONSIDERED OUT OF DAN GER, ETU.

Gen. Case this morning fell from the steps of the Patent Office, the fall breaking one of his arma. Mr. Cass fell a distance of four steps, and was picked

up and carried to the National Hatel in a state of insensi-bility. His forehead is badly cut, and it is feared his skull is tractured. When taken up he was bleeding proballs tractured. When taken up he was bleeding pro-fusely from the temple and the mouth.

Mr. Cass was specchies for some time, but has reco-tered his voice, andams recognizes some of his friends.

It is now asserted that his asm is not broken.

Drs. Garnett and Miser are in attendance upon the sufferer.

WASHINGTON, Feb. 8, 1856. Gene: al Lewis Cass fell upon the steps of the eastern portice of the Patent Office at noon to day, seriously in juring his head. There was a concussion of the brain but Dr. Miller, the attending physician, informs me that there is no immediate danger of any serious result. The

Wasmington, Feb. 8, 1856.
I was at Gen. Cass's room at 9 o'clock this evening, and was informed by Dr. Miller that he was much easier. He considers him out of dauger. The only thing he fears WASHINGTON Feb 8\_10 P M

The physicians in attendance think that the injuries sustained by Mr. Cass will not prove serious, although from his advanced age, and the severe jar to his frame, there is some danger to be feared from inflammation.

GEN. J. WATSON WEBBA CANDIDATE FOR THE HOUSE

There is a strong effort now being made to elect Gen. Webb printer. I am informed this evening that he has had for some time to reserve a pretty large force, in case they could not unite the whole of the republican strength cn any other man.

Quite a number of heals were lopped off to day, by

and will give them their walking papers early next week. The standing committees have all been arranged, but they will not be made known till Monday.

Mr. Dallas was closeted with Secretary Marcy to-day.
He will leave in about two weeks. His son will not be

appointed Secretary of Legation. There are a large num ber of applicants for the place. THE STANDING COMMITTEES OF THE HOUSE, ETC.

WASHINGTON, Feb. 8, 1856. Speaker Banks is closely engaged in the formation of standing committees, and has at least another day's work before him to complete them. It is snowing briskly here this evening.

No northern mail has been received to-night. From the State Capital. MR. COOK NOT TO FRAME A TAX BILL—DELAY IN SAVINGS BANK COMMITTER—LONG ISLAND RACE COURSES NOT YET ABOLISHED—ATTEMPT TO REVIVE THE JONES' WOOD PARK—HEALTH OFFICER TO RECEIVE A SALARY—PYTHA SPECIAL VIOLENCE. TO RECEIVE A SALARY-EXTRA SESSION, ETC. ALBANY, Feb. 8, 1856.

Some three or four days since, the Assembly, on motion of Judge Foot, adopted a resolution employing Bank Commissioner Cook to frame a bill which would reach all Odell, leader of the Know Nothings, moved to rescind the aforesaid resolution, alleging that there was sufficient ability in the House to draft such a bill. The resolution was rescinded accordingly, and now the matter reats with chairman. It is believed that delegations from savings banks and insurance companies have recently visited

this city.

Again: Mr. Northrup has a resolution, which has been before the House several days, instituting a committee to investigate the affairs and condition of the hundred savings banks in this State. He called it up this morning, but was induced not to press action upon it then. lie is determined that a thorough investigation shall be avings tanks to prevent him. It is asserted that from seven to ten nillians remain unclaimed in those institu-tions, and that many of the banking palaces creeted in New York and other cities, are built from those un-claimed funds. Mr. Northrup's committee should be organized, and the expenses paid by the savings banks. Mrgstrang, of Westenster, introduced a built allowing parties indemnifying sheriffs to employ such counsel as they may choose for defending certain civil suits. The practice of monopolizing this kind of business has be-come, as Recorder Kiker used to say, "an evil of much magnitude in certain lecalities." even to ten a illions remain unclaimed in those institu

they may choose for defending certain civil suits. The practice of monopolizing this kind of business has become, as Recorder Riker used to say, "an evil of much magnitude in certain iccalities."

When the bill frem the Senate, relative to the Long Island race courses, was announced in the House, various motions were made to refer it to committee. It was evident that the members had been pretty generally posted upon it. One moved to refer it to the Committee on Agriculture, another on Charitable Societies; another wanted the agricultural committee to take charge of she bill, as those gentlemen were supposed to be nest quaditied to judge of the breed of horses; others wanted it in the bands of the Juddelary. The centest was quite rejirited, and inside nearly an hour, when, finally, Senator Ricer's bill was, on motion of Mr. Dixon, referred to the recombers from the courties of Kings, Queens and Suffich—Kings, Messra. Hanford, Spinota and Wood; Queens, Mr. Szedker, Suffich, Messra. Floyd and Wm. S. Smith. This sends the bill to "the tomb of the Capuleta," most decisedly.

The proposed bill mentioned by Mr. Sickles for the impreventent and regulation of the New York Central Park has not been presented. We understand it is not yet perfected.

Mr. Maher, of the House, will introduce a bill to open Jones' Wood for a public park.

The master employers and journeymen hatters of the State are pouring in petitions demanding that the State soall no lorger be a formidable a-mpetitor in the manufacture of hats. It is stated that one-sixth of this article sold in the State is made at the Sing Sing prison.

Mr. Shea, member of the House, from Staten Island, intends to introduce a bill making the health offices as alaried one. The notorious fact that the income of that office is more than any other in the State, or perhaps in the Urited States, is reason ample that the fees should be appropriated to some public use. Will not the rural members stare when they are informed that the health officer receives work enough the state o

THE PROHIBITORY LIQUOR LAW.

ALBANY, Feb. 8, 1856.
The Court of Appeals meet on Monday next, and will decide upon the constitutionality of the Prohibitory liquor law. It is rumored the law will be sustained.

United States Supreme Court. WASHINGTON, Feb. 8, 1856. error to District Court of Texas. On motion of Reverdy Johnson, for defendants, the cause was docketed and dis

No. 59 -John J. Orton, appellant, vs. George Smith.

NEW YORK LEGISLATURE.

ALBANY, Feb. 8, 1856. Mr. SPENCER presented a report from the Consumption Hospital of New York, also a petition asking an appr priation of \$30,000 for the aid of the hospital, condition upon a like sum being raised by private subscription.

By Mr. Noxon-To secure the better observance of the Sabbath in Brooklyn. To raise the salaries of the Judges of the Court of Ap-

peals and Supreme Court.

To incorporate the Homeopathic Colleges in the coun

To facilitate and determine the validity or taxes and aspessments.

Unfavorably, on the bill to provide for the puntahmen of disorderly persons.

To incorporate the New York Hydropathic Medical College. This bill constitutes R. S. Trail, O. W. May, C. ie Baron, Wm. Hunt, S. R. Wells, L. N. Fowler, G. F. Adams, Thaddeus Hyart, Chauney Blush, G. F. Taylor, C. A.Bisckall and A. E. King the corporation, and appoints them trustees of the same, with power to fill vacancies. The Mayor and Recorder of the city, for the time bring, are members of the Baard of Trustees.

To give certain cases preference in Court calendars. This bill provides that cases arising on habeas corpus, or by petition or action to obtain the ousbody of infants, shall have a preference in any court in which they may be pending, and may be removed out of their order on the calendar, at any time, by either party.

By Mr. RICHARDSON—Favorably, on the bill to enable towns to subscribe to the stock of the Albany and Suquehanna railroad.

By Mr. C. P. SMITH—To amend the Revisel Statutes relative to interest on money.

[This bill enables the lendar of money to receive the amount loaned, if interest more than seven per cent has seen taken, but under certain regulations. The bill has teen published/heretotore.]

By Mr. RAMSN—To amend the General Railroad law. My Mr. WADEWORTH—To amend the Code of Procedure and other laws relating to partition.

By Mr. SPENCES—To amend the charter of Cohoes county.

specify on its face the objects for which such money is paid.

Sec. 2 amends sec. 24 of the above art by providing that the assessors shall be paid for making the enrolment at the came rate as for making the annual assessments of property, and shall be paid out of the funds created by this act upon the supervisors' order.

CENTRAL PARK, ETC.

Mr. Sickles gave notice of a bill to improve the Central Park of New York.

A resolution fixing the 6th of March for the election of two Regents of the University was adopted.

Mr. Sickles moved that the Comptroller be directed to furnish the Senate information as to all the contracts for convict labor in the State prisons. Adopted.

Suffolk County. NOTICES OF MILE

By Mr. BREVOORT-To protect citizens of New York By Mr. MAHEN-To open and lay out the Jones' Wood

Arctic latitudes, and to the very shores of the hi herto anece gaized oven cecan at the Pols—be it therefore. Resolved, if the Senate concur, That the commendations and thanks of the Legislature on behalf of the people of the State of New York, be and are hereby tendered to Henry Grinnell for his liberality and public spirit in sitting out and sending torth the Arctic Exploring Expedition, and to the officers and seamen of that expedition, who devotedly encountered the hardships and perils of Polar navigation in the search for a lost mariner. Resolved, if the Senate concur, That a gold medal, appropriately commender of the vayage of discovery of the Grinnell ships, be atruck by order of the State of New York, and that the same be presented to Dr. E. K. Kaue, commander of the said Exploring Expedition, and first positive discoverer of the Arctic Open Sea.

Mr. Jet kins' act in rela font to the number of crime

Mr. Jerkins' act in rela fon to the punishment of crime in certains act in reas no to be punishment of crime in certain cases, provides that when a person under twenty-ene years old shall be convicted of an offence punishable with imprisonment in the State prison, the Court may, in its discretten, sentence the person so convicted to imprisonment in the Peniteutiary situated in that juxcical district.

Mr. Dixon's act in relation to the sale of land for layer, provides that no conveyance made by the Countries.

Mr. Dixon's act in relation to the sale of land for taxes, provides that no conveyance made by the Comp-troller upon any sale of land for taxes, which convey-ance was executed fifteen years ago or more, shall be deemed invalid on account of any defect, irregularity or emission in the publication of the notices of sale or redemption of said lands so cold for taxes. Mr. E. T. Wood's bill to create the Nineteenth ward in Brocklyn, is the same as the bill introduced last year by Mr. Rhodes, except that sec. 2 is made to read as for-lows:

Mr. Rhodes, except that sec. 2 is made to read as fol-lows:—

The Seventh ward shall comprise the following dis-tricts, namely:—Beginning at a point formed by the le-tersection of the centre line of Bedford and Flushing avenues; running thence southerly along the centre line of Bedford avenue to the centre line of Atlantic avenue; thence westerly along the centre line of Atlantic avenue to the centre line of Washington avenue to the cert, along the centre line of Washington avenue to the centre line of Flushing avenue; thence easterly along the centre line of Flushing avenue; the place of be-ginning. All that portion of the Seventh ward lying east of Bedford avenue, shall form a part of the Ninin ward.

An overland party from Superior City, on the 24th ult arrived here last night. The government road from St. Paul to Superior City is open. The season has been comparatively mild. The coldest day of the winter was or the 31st of December, when the mercury fell to 32 deg below zero. Supplies of provisions are abundant. The party has gone East to secure steamboat connection with the lower lake during the coming season.

lied in this city last evening. Bark Messenger Bird Dismasted.

put into Bermuda on the 15th inst., dismasted.

Stocks are firm; quotations as follows:—Pennsylvania Fives, 86; Resding Railrose, 44; Long Island, 16%; Morris Canal, 14%; Pennsylvania Railrose, 44%.

New ORIZANS, Feb. 6, 1866. Cotton firm at former rates. Sales to-day five thousantales.

New Oblians, Feb. 7, 1856.
Our cotton market is active, and termer quotations are firmly sustained. The business to day foots up 7,600 bales.; Flour is duil, with small sales at 88 25. Keg lard sells at 10½c., Rio ceffee at 12½c. Cotton freights to Liverpool, 9-10d. Sterling exchange is quoted at 7½ per cent premium.

An old lady named Estabeth Farmer, living in Newton A. H., who has been wice y known for her extreme par amonious habits, died week before last, leaving from

THE WRECK OF THE BEIG W. P. SAPPORD—THE MATOR AND THE CORONER DISPUTING EACH OTHER'S AUTHORITY—GREAT EXCITEMENT AT THE GAS HOUSE WHARP.

The brig W. F. Bafford, recently sunk in the East river, near the Navy Yard, is still in the same situation, held by her anchor, and lines extended from her bowsprit to the Gas House wharf, Brooklyn. The water at that place is said to be about forty feet deep. It was at one time supposed that the cook and the two children of the place is said to be about forty feet deep. It was at one time supposed that the cook and the two children of the capitain has gene down in the vessel; but from more recent inquiries it is ascertained that all on board were on deck after the alarm had been made of her sinking condition. The mother and children were all in the boat, when efforts were made to cut it clear from the lockings and daytis. The principal Coroner, Mr Hanford, of the Eastern district, is himself satisfied that no dead bodies fremain within her. The owner, Mr. D. W. fierce, of Orrligdon, Me., has arrived, and he, in connection with Mesers. H. D. Brookman & Co., his agents, have made arrangements with Capt. Thos. Bell, wrecker, to raise the vessel. Schooners, or other small vessels, will be employed for the purpose, or a derrick, if necessary. Mace misunderstancing and discord seems to have grown out of the affair between the Coroner on the one side, and the owner and agents on the other. A day or two since proposals were made by Mr. George M Brush, a North river man, unknown to the insurance companies, to raise her for \$2,000, and the next day the Coroner, who then claimed sole jurisdiction and control over the matter, said he had already agreed with Mr. Brush to raise her for \$4,500. This not meeting the approbation since for the underwriters, the agent s, knowing the previous proposals of the same contractor, positively refused to sanction. The Croner, nowith taxions he had acknowledged his cellef that the vessel contained no dead hodies, still persiaced in claiming a right to perform all the operations of wreck master, and afterwards present has hill for the same. Access was then had to Mayor had in the contest remains and is being carried out between "John and Tom" and "Tom and John." It is earneady hoped, he wever, that it may not prove a see mijoseph Walker affair, presenting for a long ime obstructions to navigation and commerce, and sacrificing the interests of private individuals to the parsimentous propensities of litigious perso

THE BARKER HOUSE HOMICIDE.

The random of witnesses was resumed yesterday morning, and Joseph S. Pendleton concluded his evidence. He saw McLaughlin lying on the floor at the end of the counter, but did not know how he came there; saw no knife, and saw no one stabled.

Linetus l'endleton, a boarder at the Barker House, testifiet that he saw no one strike McLaughlin, and had no knowledge as to the manner of his death; saw no

no knowledge as to the manner of his death; saw 10 knife.

After the examination of these witnesses, the Coroner stated that as no new light had thus far been thrown upon the subject, and it was useless to accumulate teatimony which resulted in nothing, he should leave the matter open until monday, and directed the jury to resemble at 1 o'clock F. M. on that day. The whole affair is just as much enshreuded in mystery as at the cummercement of the investigation—no one was seen to have a knife, no one saw the fatal blow struck, and in fact no one appears to know anything about it. All that appears is, that Michael McLaughlin was killed.

Fire at No. 12 OLD SLIP .- On the night of January 30, the was distovered in the office of Storey & Stevens second floor of No. 12 Old slip. The investigation show that some two years previous Mr John B. Murray caused

a grate to be put into the chimney in this office, and that hir. Wim. H. Alkirich, who did the work, neglected to remove the floor joist. After two years' use of the grate, the heat from it set fire to the beam, clearly demonstrating the inaccurity of its construction. Mr. Stephen Strm, owner of the building, has now made it secure.

Fig. 18 Forty-second Street Preseyterian Church.—
On Saturcay, January 16, about 11 o'clock in the foreneon, a fire was cloovered around the register in the
floor of the church. The investigation shows that a
forcease was put into the church by James Mangregor, of
11: Beelman street; a hele was cut through the floor
at fliciently large to admit the hot air pipe and put in the
egister, leaving a space of from three to six inches;
There had not been fire in the furnace m re than twen
ty-six times previous to the wood work taking fire, clearty showing the great changer to be sprehended by allowing wood work of any description to be placed nearer
than sixteen or twenty inches if hot air conductors or
make pipes.

Between 12 and 1 o'clock on the night of January 31. Detween 12 and 1 o'clock on the night of January 31, a fire was discovered in Dr. Macanley's church, corner o West Twenty-first street and Fifth arenue. The fire originated from the hot air register. The investigation shows that the iumace had been repaired by the masons, and primission was obtained from the sexton—Mr. John Labagh—to make a fire in it to dry the work. It appears that one, at least, of the registers must have been closed, as the fire was shown to have sta tos around it; the tin work of the register nearly touched the beams, and the whole classance of register from furnice was not over three sect. The mason, Mr. John Lowery, testified that there were only about three sects of cost nut in the immace, which shows how small a fire will produce a least-uffulent to fire the wood work. The secton rep-the doors leasting into the body of the church locked and as he believes the registers were open, he considered it rate. The furnaces were erected by George Kimball 240 Water street.

FIRS IN WEST EIGHTIENIN STREET CHEST CHURCH .-On Sunday afternoon, Sa Inst., between tour and five the flooring and near the furnace smoke pipe. The investigation shows that the masons, Measure Frazes and vestigation shows that the masons, Measra. Frazee and Pierson, in erecting the chimney flue placed it within one brick, or four inches, of the girder. The heat from the flue set fire to the beam. Mr. John Gallier, the contractor, on his examination testified that the flue had been shifted from the piece originally designed by the architect, to avoid a door, and he now discovered only one brick between the girder and the inside of the flue, which all hough in accordance with the interpretation of the present inw he does not think by any means safe. Mr. Gallier further easy, "interpretation to the present inw he does not think by any means safe. Mr. Gallier further easy, "interpretation to the present in the further easy, "in effective to the present made of building furnace smoke flues, in a "12 inch wall, without any breastwick, I consider it unia"c, as there is only one brick thick on either side, and that I do not think sufficient to protect word work from taking fire;" there ought to be at least eight inches of brickwork extending up the two first stories, but it would be much safer to extend eight inches of brick to the top of the chimney.

Police Intelligence. RECOVERY OF SUPPOSED STOLEN GOODS.

Yesterday afternoon, officer Martin, of the Sexth ward police, succeeded in recovering a large black trunk tull of silk dresses and ladies' wearing apparel, which, it i of sik dresses and isdies' wearing apparel, which, it is supposed, have been stolen. The property was found concealed at the residence of Michael Country, 35 Baxter treet, where, it is thought, the thief had kept it on storage. Mrs. Country was taken into custody on euspicion of receiving stolen goods, and, on being brought before Justice Councily, at the Lower Police, she was committed for examination. It has not yet been ascertained who the owner of the trunk and property is. One or two of the stolen articles are marked "D. W Hazzard, U. S. N." The property may be seen at the Six h ward station house, on inquiring for officer Martin.

CHARGE OF ROBLERY. Christian Nanor, George Muler and Nicho'as Morto were taken into custody by officers Peck and Voss, of the eventeenth ward police, charged, on the complaint of Seventeenth ward police, charged, on the complaint of Benjamin Jones, or 199 Second street, with highway roberty. The computational alleges that white about to pay Miller a small sum of money, for services performed. Nancer and Morton set upon him, and in concert with Miller tack his pocketbook, containing \$110, away from him. When Miller was taken into custoos tae walet and its contents were found in his possession. The accused were brought before Justice Wood, at the Every Market Police Court, where they were committed for examination.

AN ALLEGED FULL OM JUFFICE.

On Thursday night the First a ward police arrested a wan named Thomas Kerrigan, on a requisition from the Governor of New Jersey where he abouts charged with the commission of a burglacy upon the store of Joan B. Davis, of Jersey City. George Alfan, a sailer, was arrested on a charge

George Alfan, a sailer, was arrested on a charge of perjury, on the complaint of Joseph Voppe, of No. 18 Hamilton street. The complainant alleges that the secured aware fakely against his character in the Marine Court, and thereby cheated him our of \$100. Alfan was brought before Justice Composity, at the Lower Police Cent, where he was held to answer the charge. CHARGE OF FELONIOUS ASSAULT.

John Bordeux, preprietor of a boarding house at No. 9 Worth street, was arrested on charge of committing a Gunoly.

AN ALLEGED PISORDERLY HOUSE.

AN ALLEGED PISORDERLY HOUSE.

A woman, named Harriet Forrester, keeper of a house at No. 16 Hudson street, was arrested by Sergenot Jourdon, of the Lower Poilce Court, on charge of her dog disorderly knows at the above number. The complainant Mr. Ferguson, of 64 Budson street, alleges that the house of the accuract the house of the accuracy and other like orderly characters. The accused was held to answer to the charge.

BOART OF COUNCILMEN.

THE CONDITION OF THE STREETS—SPECIAL MESSAGE FROM THE MAYOR.

This Board assembled at their chambers in the City Hall yesterday afternoon, the President, B. F. Presexur, in the chair. The room was tasiefully draped in black, as a mark of respect to the memory of Eobert S. Dixon

The minutes of the two previous meetings and approved.

referring to the regular committees of the Board those portions of the Mayor's message referring to docks and sips, public health, police, markets, Croton water, new City Hall, opening and improving streets.

A resolution appointing a special committee to confer with the members of Congress upon the condition of our harbor defences, referred to in the Mayor's message, was

harbor desences, referred to in the major's message, was lost.

A pramble and resolution was then adopted asserting that the Board of Aldermen had freated the Board of Councimen discourteously, in privately drafting a new city charter and arking for its passage through the Legislature at Albany.

Another premible and resolutions were then offered prohibiting smoking in the Council chambers. These were last ever till next meeting.

The following communication was thee received from the Mayor and referred to Committee on Cleaning Stree s. and this committee ordered to report on Monday evening last:

the Mayor and reterred to Committee on Cleaning Stree s. and this committee ordered to report on Monday evening next:—

MAYOR'S OFFICE, Feb. 8, 1856.

TO THE HONDEARLE THE BOARD OF COUNTLESS:—

GENTERES—The condition of the streets of the city, arising from the extraordinary collection of see and show could form the extraordinary collection of see and show cash for some immediate and effective action. In the great thoroughtares, such as Broadway, and the mark which is the street of the lower part of the city—where the travel of carts and other vehicles is immense, and which should be freed from obstruction and impediment—the injury is beyond estumate. A thaw, which will be succeeded by the overflowing of basements and cellars aside from the effects upon public health, will injure property to a yet greater extent. This subject calls for prompt and declays action. I have no power to expend a dellar for the purpose without the authority of the Common Council to do so. Permit me, therefore, to ark that you will give the necessary authority at your prisent session, so that at the first meeting of the Board of Aldermen it can concur, that we may forthwith remove the show and ice from the streets referred to, before serious damages are indicated upon the property and health of our citizens. FERNANDO WOLD, Mayor, returning to the Board, wi hout his approval, the resolution proposing to send special committees of each Board of the Common Council to Althany, for the purpose of memorializing the legislature for the cassion of certain and slying in front of West street, and between piers 20 and 21 North river.

The Mayor states that this comes within the line of duties deroved upon the Harbor Commission—if, however, it be necessary to seed a memorial to Albany for this purpose, I cannot suppose that special committees of the city will be fully protected by? the gruit men composing this commission—if, however, it be necessary to seed a memorial to Albany, for this purpose, I cannot suppose that special committees of the Com

I is communication from the Mayor was ordered to take the usual course.

The Foard then resolved itself into Committee of the Whole upon the regular calendar, and, after some unimportant business, adjourned.

Court of General Sessions, Before Judge Capren.

THE TRIAL OF FOLING, COMMISSIONER OF STREETS AND LAMPS, PUT OVER TILL NEXT TERM

Yesterday was the day fixed upon in the court of Ge peral Sessions for the second trial of Joseph E. Etling, Commissioner of Streets and Lamps, accused of bribery. Commissioner of Streets and Lamps, accused of bribery, and who was trick last term and the jury chagreed.

At 11 o'clock Mr. Ebling appeared in court, attended by his coursel, James f. Brady, and the court being called to order. Mr. Bardy moved that the case be postponed till the next term of the court, upon the ground that he desired to examine Mr. Scale, of the firm of Smith, Stokle & Co., who was in Thiladelphia and who must be examined by commission.

Mr. Hall said he would agree to this, inasmuch as he also while to examine Mr. Sickle for the prosecution but he was precluded from making the motion.

By mutual consent of counsel the case was then postponed till the March term of the court.

THE ST. NICHOLAS AFFRAY BETWEEN DEAN AND WRIGHT.
The case of the People ws. Robert S. Deen, charged with The case of the People vs. Robert S. Dean, charged with an assault with intent to kill, was next called. This was the party who atabled Capt. Wright at the St. Nicholas Histel ca, the evening of the 15th of Sectember last. Mr. Dean appeared in court ready for trial; but the runs of Capt. Wright, the principal witness in the case, long cestier, there was an answer to the call.

The Dia rice Attorney men said that Capt. Wright, the party exacuted by the referedant, and the main witness in the case, being name, is should move for the forfeiture of his bail given by Samuel Suydam. He should make the motion as a mere form to said the farce, for Mr. Suydem was himself under introduent for orime.

The recognizances of Wright were then forfeited and the case pushested.

Some petty cases were then tried, and the court then adjourned till this morning.

Mongan L. Savage vs. Menry E. Bevier and Bevier.— (Bemurrer to complaint.)—The defendant, H. E. Bevier, endersed a note made by his brother, J. L. Bevier, payable to the order of A. Ferguson, to secure a debt due to Ferguson. A. Ferguson transferred the note by assign. the defendants to recover the amount, and another claim The defendant, H. E. Bevier, demurs to complaint, upon the ground that he is not hable as maker or guaranto but as an endorser only, and is discharged by the omission the payee or holder to notify him of the presentment

of the payee or holder to notify him of the presentment of the note and of its non-payment. The plaintiff also alleges a promise by H. E. Bevier to pay the note made after it had matured.

Brady, J.—The defendant H. E. Bevier, is an endorser, and not a maker or guarantor and to charge him, notice of presentment and of non-payment was necessary. Mere information of presentation and of non-payment of non-payment a one, and not by notice in the regular way, unless given by the holder, or some person representing him, before the promise made, would not be audicient within the rule, and, it seems, for the reason that the endorser must know of his exemption from liability at the time of his promise. That promise, then, becomes a new contract, made valundarly which full notice of his legal rights, upon which he will be held. In this true none of these regulatives are averaged, and the demurof his regai rights, upon which he will be held. In this tare name of these requisites are average, and the demurrer is, therefore, well interposed. Judgment for plaintiff on the demurrer.

Augment V Mangi va. Louis Finlenthin.—Motion to discharge order of arrest granted, with \$10 costs to de-

in n'sn , to stide event.

Charle 7. Shidon vs. James Brooks.—Allowance of \$100 in addition to costs, allowed to plaintiff.

BOALD OF CANTASSEES, - The Jersey City Board of Can-

RECAPTURED.—In August last, the residence of Mr. James Fielder, in Jersey City, was bargiariously extered

James Fielder, in Jersey City, was bargiariously entered and robbed, and a young man who gave his name as Van Cox, was arrested on the charge of committing the crime. He was afterwards indicted under his real name—Thomas Kerrigan—but was released by mistake because his name, the better's bocks was Van Cox. On Thursday night he was re-arrested in the St. Nicholas Hotel by C. J. Far-cy, the Jersey City Colled of Police, and taken back to the Hudson evunty juil. He was about to leave for Nicaragus, it is exist to join bis brother, Counciliman Kerrigan.

SMAL Fr.—This disease exists to considerable exists. SMAIL FOR.—This diease exists to considerable extent in Jersey City. There are now several cases existing in the city. Means should be taken to prevent its spread. There is also a defect in the operation of the law requir-ing the registration of deales, and no knowledge is fur-rished by the aetherities with reference to the rawages of distance, by which to regulate sanitary measures.

PATAL FALLS.—Michael Hickey, a porter in the store of P. Lavingston & Co., No. 5 Whitehall street, died from the effects of a fall received by shoping through the hatchway on the fourth story. Verdict, " Death by con-cussion of the brain" Deceased was a native of Ireland. and was thirty years of sge.

An inquest was held upon the body of a man named

Robert Rayner, who died at his residence in Eighty-sixth Report Kayner, who died at he residence in Engaty-skin nirect, near See and avenue from the effects of a full re-ceived in his own yard. Deceased was 67 years of age, and was a native of this State. It is said the deceased was post-seed of a great deal of property, and as he ap-pears to have no heirs, the Public Administrator will take

charge of it.

Inniel Halcker, a native of Ireland, and 78 years of sec, died at his residence, No. 428 Water street, on thursday morning, from the effects of a fall received white descending a stairway. An inquest was beld upon the body of deceased, when a verdict of "Accidental Death" was rendered by the jury

Action Against a Ward School Teacher for Cruel Panishment. SUPERIOR COURT-PART SECOND. Before Hon. Judge Bosworth THIRD DAY.

Fm. 8 .- Thomas Doran vs. John Anderson - Wm. Cockroft, physician, sworm on the part of the defendant, and examined by Mr. Busteed, deposed that he knows the de-fendant, but has not had much acquaintance with him. Saw the plaintiff and his mother once in the latter part of January, or first of February, 1885. Only had profes-sional intercourse at first time because of the transsional intercourse at that time by request of the trus-tees. Went with Capt. Haggarty to see if it was true that the boy had been hart. Found the boy in bed—med a partial examination. The mother came in and would not let me go on with the examination. I did not con

a partial examination. The mother came in and word not let me go on with the examination. I did not cate again. I coulen't find anything out of the way. Meanings again in Louden't find anything out of the way. Meanings of his stomach. He had caten heardly a bucawheat cakes. He did not evince any pain or unastrates. Fating buckwheat cakes would be likely to make him cray a nights.

Crose seamoined.—Was but a 'ew moments examining the boy. Examined his breast, stomach and dimbs, but not his spire.

Out disgreety, of the Seventh ward police.—Attended with Prevor Cockroft. The boy didn't complain or any tring but his stomach.

William Barry, school teacher of ward school 33, defendant's principal, deposed that he taught there two years this January. Doran was a scholar in my class. Saw the by wintoped, I learn him to be flogged. The principal is the person to flog the boys. Inquiry is not made as to the came of the offerce. About four were flogged; there may have been five; is sure there was not a dream. Deran was the last boy flogged. (A like this—not any thicker or thinner. Inc. buy loran refused to hold out his hand, and and he wouldn't be whipped by Mr. Anderson or any one size; he then got three or four slaps on his rump; be then said he wouldn't and the didn't want to whip him, but enly make him hold out, and sent him to his seat; the boy on caming to his seat said, "You c—d son of a t—, you'll suffer for it after school," I told Anderson what the boy eard, an he called him back again; the boy then went hot the side, where Anderson met him, and struck him once across the back with the ration; the boy exerted and got under the deek; after he got under the deek after he got under the deek; after he got under the deek and the word has a how and a lame; saw him going home out of school, there were no symptom that lo out on the tollowing Fristey, and wanted him to take he bey back. Mr. Anderson objected to it under the circumstance.

Cross examined.—Would awear that Anderson did not pick the boy up and throw him down on the desi; dependently fligger was broken, and bad for two or three weeks; the whipping did not take more than a minute. John F. Almes and other teachers gave similar testimony. Mr. Almes as at the boy go to his desk in a swaggeting manner; the defendant struck him several times over the back with a rattan, but I did not see him picking him up.

John McGeen, fourteen years of age.—Was in the first class in 1855; saw the figging; I sat in the second rewer seems; there were secut fourteen or fifteen to be flegged; Doman was whipped last; Anderson told him to how out his hard; he retused; Mr. Anderson then stream him over the back three or four times with a rattan; he them held out his hand; Anderson would not whip him; be them went to his seet; he (Doran) said to Mr. Rerry, (the teacher.) 'You are a damned son of a bitcn.—I'd hay for you arer you come out of school.''

Charles V. Reves gave similar testimeny as to the sharacter of the whipping, and added that he saw Doras rect of ye liding on a pond; saw him on his brother's cart once, and he was driving in Cherry street; have seen him on the eart more than once.

O her testimony was given for the defence, and cownell on the steet numed in.

cart once, and he was driving in Cherry street; have seen him on the eart more than once.

O her testimony was given for the defence, and complete in both sixes nummed up.

The Court classes the jury, telling them it was for them to judge whether there was an unnocessary degrees, of punishment used, or whether there was only took used which was necessary to maintain the discipline of the reflect. If the punishment was cruel and unausal, the plantful was entitled to damages, but if it was only such as the circumstances damanded for the maintenance of order, then the defendant was entitled to a verdict. Scaled verdict at 10 o'clock Saturday morning.

Marine Court. AUCTION SALES—WHO BIDS?

Before Hen. Judge McCarthy and a Jury. Fig. 8.—Thomas Connaughton vs. Henry H. Locks & Co.— The plaintiff is a dealer in secondhand furniture, keeping a store corner of Spring and Wooster streets; attenditive different auctions in this city, for the purpose of making purchases of any articles in his line. The defendants are auctineers, having sales almost every day, of furniture and every other kind of personal property. One or about the 55th Oathor, 1865, the defendants and a sale of the effects of the late James Thompson, deceased. The stock of goods being of a superior quality, a large and select number of badders were in attendance. The bidding was very spirited, and amorgst other bidders was the plaintiff, who bid on a certain article. One of the defendants refosed to take his bid, and informed him he had a good reason ter so doirg, and if he wanted to know why be could find out by inquiring at the office.

This suit is trought for damage, for refusing to take plaintiffs but at that time, and subsequently, plaintiff in isting that his business is to attend such sales and buy and sell again at profit—that the refusal to accept his had was an indirect attack on his character, and affected his credit and oashess with other houses.

After the plaintiff needs his case, defendant's counsel moved for a nonsuit. The Court, after argument, granted the moves on the grounds that an accioners is at store corner of Spring and Wooster streets; attend

The atres and Exhibitions.

Broadwar Internet.—The splentid scenic drams of "King Clarming" will open the performances this ovening thus giving the juvenile portion of the community and others who have been hitherto kept away by indement westlier an opportudily of witnessing this magnificent spectacle. After the drams Mr. Leaten will revene the order of nature in walking on a potabed surface head downwards. "Twenty Minutes with a Tiger" follows, and then Mr. Fir her will on clude the entertainments by a series of gymnastic exercises on the corde volunte.

NIMOS GARRES TRUSTED closed to night. On Mondar

a series of gymnastic exercises on the cords volante.

Numo's Gamest remains closed to night. On Monday a grand consic pantername by M Lebuann with the performed for the first time. Extensive preparations have been made to produce this piece in great spiendor.

Howear Thearms.—This favorite home will again be full to over flowing to right, and humar sign as uscal, will leave the coors encaped set, in not being spiece secure even standing grown to winess. Hence the fluinter. The notors, one and all enter before a spiece of the play with a bear's good will, and the encouraging planding of the countless appetators, and hence "that hat" comes with a guato that shows his cutive satisfaction with the progress of events, particularly in the violating of the Bowery.

Burgrow's Thearms.—Mr. J. H. McVicker, the design-

BURTON'S THEATRE .- Mr. J. H. McVicker, the donin-Burren's Turarra.—Mr. J. H. McVicker, the divide-quished Yankea conceilan, who has been performing here throughout the work, will take his benealt and make his last appearance to night. The entertainments will com-mone with the amoung concey entitled "Take that firl Away," in which Messre. But ton end Perry have ex-cellent pairs. To be followed by the exciting backs or drains of "The Gamescole of the Wilderneks"—Mr. Mc-Vicker as Semsonn Hardhead. The whole, will conclude with Mr. McVicker's mirth-moving delineation of "Sam Patch in France."

with Mr. McVickee's mirth-hoving delineation of "Saca Fatch in France."

LAUKA KERNÉ'S VARIETIES.—In compliance with the request of a large number of her friends, Missikeene will this evening repeat her celebrated character of Familiae, in Bulwer's popular play of "The Lacy of Lyons." "She will be Supported by Mr. Jochas as Charde Mr. Beas' as Col. Dumas, Mr. C. Chrick ear Beauceent, and Miss Wells as Madame Deschappelier. The performances will conclude with the highly anusing farce of "The School for Tigers," in which Mr. Johnston and most of the leading lacles appear.

WALLACK'S THEATER.—The successful little comedy of "The Barrack Room" will, this evening introduce various of the members of Mr. Wallack's telented company in appropriate characters, inclusing Mesers, Leeter, Levere, Pe Walden and Philips, and Misses flamon and Fyne. Goldsmith's great comedy, "She Stoops to Coaquer," elegantly cast, will follow—Young Marlow, Br. Lester, Tony Lumpsin, Mr. Walext, Diggory, Mr. the Helland; Mrs. Hardeastie, Mrs. Veron; Miss Hardeastie, Eroadway Varieties.—The pretty spectacle of the

Mrs. Hosy; Miss Neville, Mrs. Stewart.

EROADWAY VARIETIES—The pretty spectacle of the "Nanad Queen," as performed by tos wondertal children at this house, continues to receive the spontaneous commendation of large and delighted audiences. The low comedian of the company, Master Goo. W. Marsh, justly merits and receives the warmest applause, as do also miss Louisa and Little Mary. Judging from the great numbers who have visited Mr. Wood's Varieties this week, it will become a permanent institution, and the ordiften faxed stars in our city.

Wood's Minstrians—Visit these merry follows when you will—no matter how cold, stormy and disagreeable the weather, or how lithy, slippery and sloppy the streets—you will always find the sears well filled and the audience in a good humor. To night they present a variety of fine songs and the burlesque of "The Masquerade Isell."

Bell."

Executar's designative.—T see charming recalists and munitaris continue the delight of a litrue lovers of music. Their music is to be found on almost every plane, and their songs are sung in palaces, cotages, streets and almost everywhere clee. This evening they will perform the opera of "Somnambula," and give a number of their best songs, &c.

ACADEMY HAIL.—The admirers of historical paintings cannot do better than witness the panoramic riews of scenes in China and Japan op exhibition at this house.

Argument was continued by Mr. Brown for appellees. and concluded by Mr. Gillott for appellants.

Mr. Sickias presented a petition from members of the New York bar, to enable parties to suits to become wit-

HILLS REPORTED FAVORABLY.

ties of Saratoga and Washington.
To facilitate and determine the validity or taxes and

uehanna railroad.

By Mr. C. P. Smrs-To amoud the Revised Statutes

By Mr. Spences—To amend the charter of Cohoes county.

By Mr. Richardson—To authorize the formation of town mutual insurance companies.

Amendment for the militia act.

Mr. Noxon reported favorably upon a bill to amend the militia act. It provides that sec. 21, title lift, of the act of April 17, 1854, shall read as follows:—The fund so created shall be applied exclusively to military purposes for the benefit of the uniformed militia; and no money shall be paid from such fund by the county treasurer (except the compensation to assessors) but upon the order of a board of officers as provided in this act, countersigned by the commandant of the brigade, and which order shall specify on its face the objects for which such money is paid.

Sec. 2 amends sec. 24 of the above act by providing

Assembly. ALRANY, Feb. 5, 1500.
Bills to extend the charters of the following mutual insurance companies, were reported favorably:-The St. Lawrence, the Mechanics' of Troy; the Monroe County and

by Mr. MAINN—To open and lay out the Jones! Wood Park in New York city; also, to incorporate the New York Harmonic Society. By Mr. Sura.—To make the Health Officer of New York a salaried officer. By Mr. F. T. Wood—To create the Nineteenth ward of Brooklyn.

By Mr. F. T. Wood—To create the Nineteenth ward of Brooklyn.

By Mr. Mairen—A bill relative to the Seamen's Fund.

By Mr. Sedere—A bill relative to the Seamen's Fund.

Mr. Hoyle's resolution in favor of extending the pension laws was called up and passed.

Mr. Duganne introduced the following resolution:—

Whereas, the achievements of trave and self sacrificing citizens of our republic are worthy of especial mark, a adding lustre to the entire national character, and attesting the value of those institutions under which individual instances of heroism are developed; and whereas, such achievement. when subservient to the interests of science, are not only millional, but world-wide in their teneficial influence and results'; and whereas, a citizen of this republic, under the auspices and by the aid of a citizen of this State, has signalized his courage, on durance and patriotism in pursuit of scientific discovery, and has won for the American nation the proof distinction of bearing her flag faithest and foremost in the Actic latitudes, and to the very shores of the hi herto an expired open ocean at the Pols—be it therefore Pesolved, if the Senate concur, that the commenda-

Chicago, Feb. 8, 1856.

Death of Hon. Thomas Sill. ERIR, Pa., Feb. 8, 1856. Hon. Thomas Sill, a distinguished lawyer and politician

Boston, Feb. 8, 1856.
The back Messenger Bird, from Boston for Valparaiso Markets.
PHILADELPHIA STOCK BOARD.

PHILADELPHIA IRON MARKET.
PHILADELPHIA IRON MARKET.
PHILADELPHIA IRON MARKET.
The sales of pig iron during the past west have been 3,840 tons. No. 1 quo ed at \$27, No. 2 at \$26, and No. 3 at \$23 26 a \$23 50, on the Susquehanna, and \$24 for city delivery. Rails are inquired for at former rates. Bars are firm.

the charge.

Complaint Dismesses.—The complaint against Henry
Coastn, for embezziement, has been dismused by the
Grand Jury, and the defendant has been honorably discharged from all attendance upon the Court of General